

**Notice of Allowability**

Application No.

09/924,885

Examiner

Meless N. Zewdu

Applicant(s)

HOWARD, NEWTON

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/31/06.
2. ☒ The allowed claim(s) is/are 1,3-13 and 16-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>9/22/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____.  |

**DETAILED ACTION**

***Response to Amendment***

1. This action is in response to the communication filed on 8/31/06.
2. Claims 2, 14 and 15 have been cancelled in this amendment.
3. Claims 1, 3-13 and 16-24 are pending in this action.
4. Claims 1, 3-13 and 16-24 are allowed.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chadwick A. Jackson, Registration No. 46,495 on September 22, 2006.

The application has been amended as follows:

**Please amend the claims as follows:**

**In claim 1, on line 5, between the words 'transceivers' and 'associated', insert ---, each respectively ---**

**In claim 1, on line 5, between the words 'with' and 'the', insert ---one of ---**

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**In claim 8, on line 5, between the words 'transceivers' and 'associated', insert ---each respectively ---**

**In claim 8, on line 5, between the words 'with' and 'the', insert --- one of ---**

**In claim 8, on line 7, cancel the comma placed next to the word 'the'.**

**In claim 8, on line 9, between the words 'for' and 'transmitting', insert --- jointly ---**

**In claim 8, on line 9, between the words 'transmitting' and 'an', insert --- the signal and ---**

**In claim 8, on line 11, cancel the phrase beginning from and including 'and' to and including the word 'devices', on line 12.**

**In claim 8, on line 13 (page 5), change 'devices to --- device --**

**In claim 8, on line 14 (age 5), change 'the set' to --- a set ---**

**In claim 8, on line 14, between the words 'transceivers' and 'will', insert ---, within the plurality of intermediate transceivers, ---**

**In claim 13, on line 5, between the words 'transceivers' and 'associated', insert --- each ---**

**In claim 13, on line 5, next to the word 'with', add --- one of ---**

**In claim 13, on line 13 (page 6), change 'the set' into --- a set ---**

**In claim 13, on line 13 (page 6), between the words 'transceivers' and 'will', insert ---, within the plurality of intermediate transceivers, ---**

***Allowable Subject Matter***

Claims 1, 3-13 and 16-24 are allowed.

The following is an examiner's statement of reasons for allowance:

**As per claims 1, 3-13 and 16-24:** the claims are directed to the general field of an optimum signal routing in a wireless communication network using a plurality of intermediate device. The prior art of record does not teach or fairly suggest a routing technique, in part, based on a prediction of the amount of time an intermediate transceiver, in the set of intermediate transceivers will be in communication with the wireless network, wherein the prediction is based on the last state of the wireless network and predefined rules for predicting the location of at least one of the intermediate devices in the wireless network, as recited in claims 1, 8, 13 and further argued by applicant.,

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

A handwritten signature in cursive script, appearing to read "Meless Zewdu".

Examiner

22 September 2006.